

Testimony in opposition to SB1085
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Oral Testimony

Good day. My name is Todd Foster, I am a recently retired pastor from the city of New Haven. I reside in the town of Hamden. I come to you as a volunteer on behalf of Connecticut Smart Approaches to Marijuana. And yet, I appear before you beholden to no one and determined to speak from my own heart and mind in opposition to SB1085, an act concerning the legalization of the retail sale and possession of cannabis and concerning erasure of criminal records in the case of convictions based on the possession of a small amount

While I am opposed from many perspectives, I am intentionally limiting my remarks to refuting the ill-advised notion that legalizing recreational marijuana is a matter of Social Justice. Doing so unfortunately places me in contention with legislators with whom I have the utmost of respect, particularly for their undying fight for social justice here in the state of Connecticut. I am here to suggest that in this matter they are undoubtedly well-meaning but I fear, misguided.

Without question, the so called "war on drugs" has had a detrimental effect upon society as a whole, but particularly upon communities of color. To be certain, Section 17 of this bill is a reasonable approach to undoing the injustices perpetrated under discriminatorily applied laws. Furthermore, efforts to ensure equitable access to new entrepreneurial opportunities in any created legalized arenas are valid considerations.

It is this notion of financial opportunity however that has me most alarmed about those leading the cheer to legalize cannabis. Whether it's the Connecticut state budgeteers, huge corporate conglomerates, or small business hopefuls, the introduction of money as a motive to legalize marijuana makes their posture on the matter suspect. The glitter of gold is in fact more intoxicating than the marijuana that brings us here today. Perceived opportunities for personal gain make strange bedfellows and tend to diminish or ridicule genuine dialogue concerning societal risks. It's this reality that has caused an unlikely cross-section of special interest groups to come together under what amounts to a disingenuous (for some) banner of "Social Justice."

If we are genuinely interested in social justice, particularly as it relates to communities of color, we cannot separate this issue from the issues that have propelled the notions of justice, equity and civil rights from the time of reconstruction to today. In my written testimony, I make the case that the legalization of recreational marijuana is contradictory to these deeper goals and would ultimately do much more harm than good to our society as a whole and to Black and Brown communities in particular.

For the reasons spelled out in my written testimony I encourage this committee to go beyond the rhetoric, question the monetary motives of the many of the most vocal proponents, examine data carefully, appreciate the need for further data and ultimately do the right thing for the state of Connecticut by voting to delay or deny SB1085.

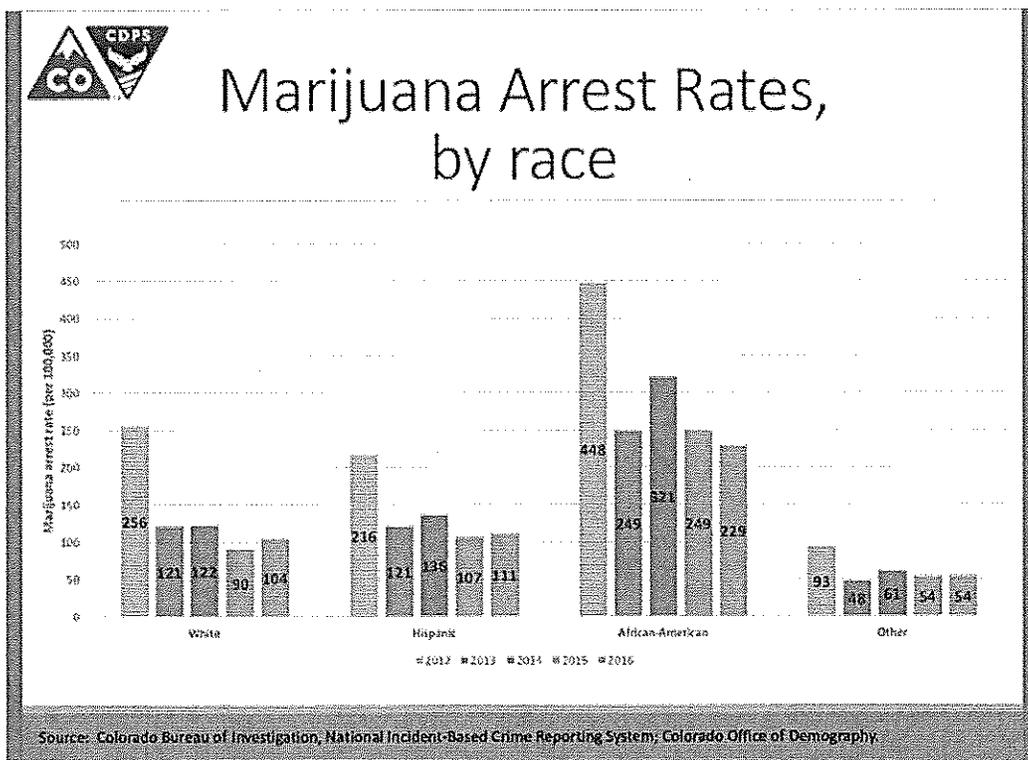
I thank you for the opportunity to share my concerns with you today.

Written Testimony

To be clear, beyond the idea of legalization of recreational marijuana for adults is the reality of the normalization of marijuana usage that will occur over time and impact all of society. Despite the “over 21” stipulations of proposed legislation, it is not even reasonable to assume that increasing numbers of young people will not be harmfully affected in a pot smoking culture. The very notion of applying proposed laws to those over 21 ignores the preponderance of evidence that shows us how particularly detrimental marijuana is to human brains that remain under development until the age of about 25. This factor along with many other unintended impacts of legalizing/normalizing marijuana will not only fail to promote social justice but devolve into what will only amount to further social injustice.

Consider:

1. A popular rallying point for proponents of legalized recreational marijuana is the very real historic racial disparity in marijuana arrests. While overall arrests may go down to some degree by the (further?) decriminalization of marijuana, the issue of disparate impact does not go away. Changing the laws may very well affect the number of total arrests, but based on evidence (see chart below), you’d be hard pressed to claim relief on the issue of racial disparity. Please examine the timeline by racial group below. Where is the racial justice here?



Reference:

Reed, J. (14 Nov 2017) “Marijuana and Public Safety in Colorado” Retrieved from [https://coag.gov/sites/default/files/contentuploads/oce/Substance Abuse SA/SATF presentations/11-4-17 marijuana and public safety in colorado jack reed 11-2017.pdf](https://coag.gov/sites/default/files/contentuploads/oce/Substance%20Abuse%20SA/SATF%20presentations/11-4-17%20marijuana%20and%20public%20safety%20in%20colorado%20jack%20reed%2011-2017.pdf)

As a fundamental justification for recreational marijuana legalization, the argument just doesn’t hold water. While no one of any color should be going to jail for possession of small amounts of marijuana, it’s a lie to suggest that legalization will fix anything regarding racial disparities in arrests. Racial disparity in criminal justice is a far deeper and wider issue, requiring far deeper and wider solutions.

See Also:

Jones, William. "Legalizing Weed is Not the Answer" *Afro*, 13 Apr. 2017, <http://afro.com/legalizing-weed-not-answer/>

"People often say we should regulate marijuana like alcohol and that's actually what frightens me," said Jones. "For many that live in neighborhoods like where I live, it's not going to be a good thing..." (Jones, W.)

Retrieved from <https://youtu.be/ZrUNNbP3hko>

2. It is not rational that champions of academic achievement and STEM progress among children and youth of color stand in favor of the long-term cultural normalization of Marijuana that would begin with legalization.

Considerable evidence suggests that students who smoke marijuana have poorer educational outcomes than their nonsmoking peers. For example, a review of 48 relevant studies found marijuana use to be associated with reduced educational attainment (i.e., reduced chances of graduating). A recent analysis using data from three large studies in Australia and New Zealand found that adolescents who used marijuana regularly were significantly less likely than their non-using peers to finish high school or obtain a degree. They also had a much higher chance of developing dependence, using other drugs, and attempting suicide.

Reference: <https://www.drugabuse.gov/publications/research-reports/marijuana/how-does-marijuana-use-affect-school-work-social-life>

3. Champions for jobs and career advancement for people of color would be working contrary to these objectives if they were to endorse the long-term normalization of Marijuana when:

"Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.

Fewer of those who engaged in heavy cannabis use completed college, and more had yearly household incomes of less than \$30,000. When asked how marijuana affected their cognitive abilities, career achievements, social lives, and physical and mental health, the majority of those who used heavily reported that marijuana had negative effects in all these areas of their lives.

Studies have also suggested specific links between marijuana use and adverse consequences in the workplace, such as increased risk for injury or accidents. One study among postal workers found that employees who tested positive for marijuana on a pre-employment urine drug test had 55 percent more industrial accidents, 85 percent more injuries, and 75 percent greater absenteeism compared with those who tested negative for marijuana use."

Reference: How does marijuana use affect school, work, and social life? *National Institute on Drug Abuse* (updated June 2018). Retrieved from <https://www.drugabuse.gov/publications/research-reports/marijuana/how-does-marijuana-use-affect-school-work-social-life>

4. The right to vote has been at the forefront of the battle for civil rights since the time of reconstruction. People have died for the cause. One recent study begs questions around marijuana use that demands further investigation/explanation. According to a survey by a seemingly pro-legalization firm, BDS Analytics, to their own surprise marijuana Consumers (i.e., people who have used marijuana in the last 6 months), who mostly identify as liberal, are less likely to believe it's important to vote in every election. Only 57 percent of consumers in 2018 think it's important to vote, which is down from 71 percent in 2017.

On the other hand they found that Rejecters (i.e., people who haven't used in last 6 months and not likely to do so in the future) at 72 percent, and Acceptors (i.e., haven't used in the last 6 months but would consider doing so in the future) , at 67 percent, express a greater interest in social activism.

To those who promote a progressive agenda, the implications here, while perhaps not definitive, are absolutely alarming. The last thing that our Black and Brown communities need is to promote a long-term culture that tends toward disengagement from civic responsibility.

Reference:

Carreon, M. "New Study Highlights the Social Impacts of Cannabis Legalization in California" *Forbes*, 17 May 2018, Retrieved from <https://www.forbes.com/sites/marycarreon/2018/05/17/new-study-highlights-the-social-impacts-of-cannabis-legalization-in-california/#2730d8082194>

5. Vultures of commercialism are waiting to swoop down on America through legalization of marijuana. The greed of corporate America has not boded well for communities of color. Is it really time to open the floodgates of the Marijuana tide? There are sharks in those water whose only concern is to feed their insatiable hunger for profits. Remember "Big Tobacco." They are the ones who told us how "more doctors smoke Camels than any other cigarette" and that 20,679 doctors recommend "Luckies" over other brands. They are the ones who colluded with confectioners to introduce cigarettes to our children in the form of candy. They are the ones more recently who used Joe Camel, a cartoon character to sell their products. Today, the Marlboro Company has invested \$1.8 billion in a marijuana company. They plan to reap much, much more in return! How so? By going after the most lucrative markets. That should be concerning to us all.

Then there was Purdue Pharma. They spent lots of money and years telling doctors that opioids weren't seriously addictive when prescribed to pain patients! Smart people actually believed them! And now we are about to trust them again concerning THC and Marijuana. Beware the sharks!

Big Alcohol had no qualms cultivating the "Negro market." Liquor stores on every corner in minority neighborhoods work for them. How's it working for us? Will we repeat the harm that marijuana and tobacco have caused in all of our communities by giving the green light to those who will be profit-driven to increase their customer bases in the new markets?

Even Monsanto, a "Big Agriculture" vulture, and their new parent company, Bayer Pharmaceuticals are posturing themselves to ensure their piece of the perceived lucrative pie.

References:

Carreon, M. "New Study Highlights the Social Impacts of Cannabis Legalization in California" *Forbes*, 17 May 2018, Retrieved from

<https://www.forbes.com/sites/marycarreon/2018/05/17/new-study-highlights-the-social-impacts-of-cannabis-legalization-in-california/#2730d8082194>

Grace, C. "Altria Invests in Vaping Giant, Juul, a Week After Doing the Same in Cronos, a Marijuana Cultivator" 22, January 2019, Retrieved from <https://learnaboutsam.org/altria-invests-in-vaping-giant-juul-a-week-after-doing-the-same-in-cronos-a-marijuana-cultivator/>

Ketler, A. "The Corporate Takeover of Cannabis: How Monsanto & Bayer Are Getting in on Marijuana" *Collective Evolution*, 10 March 2018, Retrieved from <https://www.collective-evolution.com/2018/03/10/the-corporate-takeover-of-cannabis-how-monsanto-bayer-are-getting-in-on-cannabis/>

6. What if the legalization proponents are wrong? Who will pay the price, who will notice, who will care, and will it be in time to reverse the devastation?

When America woke up to the devastation being caused by opioids, people of color scratched their heads in bewilderment, wondering why it took so long to notice. Opioids had devastated our communities long before the impact was acknowledged to be crisis. If, over time, the proponents of legalization prove to be wrong about the "harmless" impact of marijuana, the damage will have already been done. There are lives at stake. We can't afford to be wrong about this. The consequential casualties of so-called friendly fire could be astronomically devastating.

Reference:

Lu, Rachel, "Why America will regret legalizing marijuana" *The Week*, 30 April, 2018. Retrieved from <https://theweek.com/articles/769168/why-america-regret-legalizing-marijuana>

Summary

I hope I'm wrong. If you choose to pass laws to legalize recreational marijuana for adult consumption, 10 years from now I honestly hope to be able to say, "You were right, and I was wrong." It would mean 1. that the state of Connecticut significantly increased its tax revenues, 2. adults were able to exercise their freedom of recreational choice, 3. people of all walks of life found access to ways to prosper in the new markets, 4. and past harmful racial disparities associated with the biased application of previously harsh laws were corrected. If I am wrong, all of these benefits will accrue without costing lives, increasing addictions, adversely impacting youth and communities, or unleashing a more deadly black market. If I am wrong, the very communities that are meant to be helped in the name of Social Justice won't have suffered from long-term consequences. I hope that I am wrong.

Esteemed legislators, it is up to you to make sure that I am wrong BEFORE you take a vote. This is not the time or place to gamble. Until all the data is in and conclusive, the responsible course right now is to delay or vote against SB1085.

Thank you.

Sincerely,

Todd Foster